

Item 4d **11/01080/FULMAJ**

Case Officer **Caron Taylor**

Ward **Astley and Buckshaw**

Proposal **Proposed warehouse, office and trade counter building and associated infrastructure**

Location **Land south west of Bishopton Crescent and at the junction of Buckshaw Avenue and Ordnance Road Buckshaw Village Lancashire**

Applicant **Goff Family Partnership LLP**

Consultation expiry: 18 January 2012

Application expiry: 9 March 2012

Proposal

1. Proposed warehouse, office and trade counter building and associated infrastructure.

Recommendation

2. It is recommended that this application is granted planning approval subject to conditions.

Main Issues

3. The main issues for consideration in respect of this planning application are:

- Principle of the development
- Background information
- Levels
- Impact on the neighbours
- Design
- Trees and Landscape
- Traffic and Transport
- Contamination and Coal Mines
- Drainage and Sewers
- Sustainable Resources

Representations

4. Five letters of objection have been received on the following grounds:

- Inappropriate – there are units already constructed and empty across the road. Utilise existing empty units;
- The proposal doesn't match the elevations in the Statement of Community Engagement;
- Highway safety;
- Noise and disturbance;
- Vicinity of school;
- Traffic generation;
- Although development of any sort is needed to boost the economy they do not believe that this development is what the site was originally designed for;

- The increase in traffic volume alone will cause problems on already over subscribed small roads;
- They have two young children and if this planning application is to go ahead then serious consideration will be given to leaving Buckshaw;
- People sat in the office will be able to watch their TV and there will be over looking directly into their bedroom/shower room;
- There will be an increase in HGV activity plus staff/customers/deliveries which will be an accident waiting to happen.

Consultations

5. The Environment Agency

Have no objection and state the site is located in the Southern Commercial Area on the boundary of what were Areas 4 and 9. BAe Systems remediated these areas and validation reports were accepted by them in 2003. If during development contamination not previously identified is found to be present then no further development should take place until the developer has submitted and had approved in writing a remediation strategy detailing how this unsuspected contamination shall be dealt with, and then shall be implemented as approved.

6. United Utilities

Have no objection subject to conditions.

7. Lancashire County Council (Highways)

There is no highway objection to the proposed development in principle.

8. The application is a re-submission of App: 11/00025/FULMAJ which was withdrawn by the applicant. The above application was recommended for refusal on highway grounds owing to lack of suitable car parking and operational space.
9. The previous application was sized 5034m² and the new application is similar sized at 5444m² comprising B1 3206m² and B8 2238m².
10. The warehouse and trade counter will be associated with the proposed call centre business. There is no indication within the design & access and planning statements the warehouse will be open for public trade, and it therefore assumed it will operate more so as a storage and distribution centre as defined by B8 use.
11. From the proposed planning layout it is very much evident a lot of the highway issues previously raised regarding the car park arrangements have been addressed and as such they do not have any overriding highway objection. The level of car parking provision is more in accord with the parking standards and there is better and improved use of car park area in terms of operational and servicing arrangements. Pedestrian access (call centre) points have also been located away from vehicle conflict, and the business and warehouse car parking areas are also separated.
12. Based on a B1 ground floor area of 3206m² it would equate to a permitted number of 100 car parking spaces at 1 space per 30m². Based on a B8 ground floor area of 2238m² that would equate to a permitted number of 22 car parking spaces at 1 space per 100m².
13. The site is moderate accessibility and as such a reduction of 5 – 10% on car parking standards may be applied, giving approximately 88 spaces for the Call Centre business and the 22 spaces for the warehouse as detailed in the application (total 110 spaces).

14. Although opening times of 9 - 5 Monday to Saturday are indicated on the application form, the call centre will also provide out of hours cover and is also likely to operate shift/part time working and as such there will be a turnover of staff with a need to utilise the car park at the same time.
15. The level of mobility parking and cycle and motorcycle provision is also in accordance with the standards. The cycle storage will however need to be secured and covered.
16. The office car parking area will operate a one way traffic system, and an immediate left turn-in is shown at the access and will involve a tight manoeuvre. This left turn-in would be better placed at the next aisle up into the site.
17. As per my previous comments a Travel Plan should still be provided. As such transport contribution of £6,000 is requested. This would enable Lancashire County Council Travel Plan team to work closely with the Applicant to develop a comprehensive and detailed travel plan for the long term future.
18. Same standards condition to apply as recommended last time covering:
 - Protect visibility sightlines.
 - Provision for Travel Plan, although this will relate very much to the call centre business.
 - Car park layout and surfacing.
 - Construction of new access into the site.
 - External lighting.

Applicant's Case

19. The applicant's business proposed to be housed in the building is focused on offering boiler and heating insurance to domestic residential properties. The business offers homeowner's peace of mind should their central heating system fail. The business is seasonal as most heating systems fail in the winter. The nature of the operation is that there will be a call centre and ancillary warehousing, together with car parking for employees.
20. The call centre will employ a combination of part and full time staff whom will be trained in handling insurance policies. The business will be open and available for homeowners to make contact during the day and there will be a small number of operators who will need to be available during the night to take phone calls, as part of the business service levers and offer.
21. The warehouse will contain products that are used when repairing boilers and central heating systems. Given the boiler is typically small and fits inside kitchen cupboards etc. the nature of many components that go inside the boiler are small and non hazardous and are mostly shipped easily within a box.
22. The products will be inbound delivered by the manufacturers in bulk shipments and the business will send them out in smaller quantities. The outbound deliveries will be sent by couriers who pick up early evening Monday to Saturday. The courier picks up in a mid-sized van or small goods vehicle. The inbound deliveries would happen during the working day and depending on the size are made either by HGV or small goods vehicle.
23. No manufacture or rework of products will take place on any products on site. It is expected to provide employment for 100 people in full and part time positions once fully complete.

24. The application site was specifically selected by the business as the owners have worked in the area for many years. The business wishes to continue investing in the area and needs a flexible and loyal workforce to succeed and it is felt the developing Buckshaw Village and surrounding areas will be a major source of the workforce for the business.
25. Although the owners have operated similar businesses in the area for many years, the actual business is relatively new and in the current financial climate, lending institutions have proved unwilling to provide finance to build the whole building as one project, therefore the scheme may have to be built in three phases as the business develops and the application takes account of this phasing in its layout.
26. The first phase would be access into the site, part of the office to be used as a call centre, the trade counter and part of the warehouse as well as 25 car parking spaces the HGV waiting area and the comprehensive landscaping for the whole of the site.
27. Phase two would be for further office and warehousing, plus more parking and phase three would be for the remaining office and warehouse as well as the final parking.
28. The total area once complete would be for 3,206m² B1 office use, 2,238m² warehousing and trade counter with 105 parking spaces.

Assessment

Background Information

29. The application is a resubmission of a previous application which was submitted in January 2011 (ref: 11/00025/FULMAJ) but subsequently withdrawn.

Principle of the development

30. Outline planning permission was granted for this site along with the rest of Buckshaw Village under permission 97/00509/OUT and subsequent permission 02/00748/OUTMAJ. Policy GN2 of the Local Plan states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village for a mix of uses including B1, B2 and B8. Development of the site is therefore acceptable in principle. A Southern Commercial Area Design Code was drawn up in 2006 as a requirement of these permissions which the proposal must be assessed against.
31. The land use Master Plan for the whole of Buckshaw Village shows the application site as business or commercial use. A more detailed Design Code has been prepared for the Southern Commercial Area which shows the site as hotel/leisure use.
32. The Design Code document at paragraph 1.7 states that *'The Land Use Master Plan for Buckshaw is the developer's vision for the village. It is not a detailed layout but a framework to work within'*.
33. Section 5 of the Design Code states that high quality uses such as offices and hotels are envisaged along Buckshaw Avenue, though this site specifically is shown as a hotel/leisure use in the Masterplan.
34. The proposal is not a hotel or leisure use and therefore does not comply with the Master Plan for this part of the Southern Commercial Area. However there have been no applications on the application site pursuant to the outline application other than the one withdrawn by the applicant last year and there has not been interest in the site from a hotel/leisure use

developer/operator. The proposal will involve the office element of the proposal being against Buckshaw Avenue with the warehouse element to the rear along Ordnance Road, viewed against the industrial units on Buckshaw Link. It is considered that placing an office use fronting Buckshaw Avenue is an appropriate use in terms of being a use that can be carried out close to a residential area without causing detriment to amenity.

35. The Council must also take into account other materials considerations in determining the application. Since the Design Code for the area was drawn up in 2006 PPS4 has been published.
36. PPS4 is the national policy relating to Planning for Sustainable Economic Growth and was published in December 2009. Policy EC10 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably and all planning applications for economic development should be assessed against the following impact considerations:
 - whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;
 - the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured;
 - whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions;
 - the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives;
 - the impact on local employment.
37. Assessing the application against these criteria, the applicant advises the building will comply with the Council's policy on sustainable resources in terms of the first criterion. In terms of accessibility the whole of Buckshaw Village has been planned as a sustainable village and the site is close to a station and bus route, it is therefore considered acceptable in this respect. In relation to design, this is discussed below in the relevant section. The proposal will benefit the area economically and provide local employment so will comply with these criteria. The proposal is therefore considered to comply with PPS4 which is more up-to-date than the Master Plan and is considered a material consideration in determining the application that carries significant weight.
38. In addition, on the 23rd March 2011 The Minister of State for Decentralisation and Cities, Greg Clark MP, issued a written parliamentary statement in which he said that ministers will work quickly to reform the planning system to ensure that the sustainable development needed to support economic growth is able to proceed as easily as possible. It states that the Government expects the answer to development and growth wherever possible to be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

39. Delivery of this sustainable development may assist in encouraging further investment in Buckshaw Village.
40. Although the proposal would not comply with the Master Plan it is not considered in this case that allowing the site to be used for a B1/B8 use would compromise the key sustainable development principles in national planning policy and would therefore comply with PPS4 which is more up-to-date and is a material consideration that carries significant weight. In addition to the fact that the site has attracted no interest for a hotel/leisure use since outline permission was granted PPS4 is considered to carry sufficient to outweigh the Master Plan. The proposal is therefore considered acceptable in principle.

Levels

41. The site is flat, however a condition is proposed in relation to levels to be submitted prior to commencement of any development.

Impact on the neighbours

42. The nearest properties to the site are those on Bishopton Crescent, which are three storey town houses in a crescent on the opposite side of the roundabout to the application site. These properties have their lounge at first floor looking towards the site. Although the part of the building nearest to these properties will be an office, one letter of objection has been received from number 13, the nearest property to the site. However, these properties are at least 70m away from the nearest part of the proposed building which far exceeds the Council's interface guideline of 21m between facing windows and is therefore considered an acceptable relationship.
43. There are properties that face onto Buckshaw Avenue to the west of the application site and again are over 70m away from the site, so it is not considered the proposal will impact unacceptably on them.
44. On the other side of Ordnance Road opposite the site to the east is still vacant land but this has permission for a public house (ref: 08/00396/REMMAJ renewed by 11/00554/REMMAJ). It is not considered that the proposal would conflict with this use or impact on this use.
45. Opposite the site to the north on the other side of Buckshaw Avenue is Buckshaw Primary School accessed from Unity Place, the playing field of which is closest to the application site. There is no access to the school from Buckshaw Avenue. It is not considered that the proposal will impact on the amenity of the school.
46. There are other non-residential buildings within the village such as The Hub (nursery and training pool) that have a similar relationship to existing properties and therefore as a mixed use Village this is considered acceptable.

Design

47. The site is located on the corner of Buckshaw Avenue and Ordnance Road and is 1.01 hectares in area.
48. There is a key frontage shown in the Southern Commercial Master Plan on the north boundary of the application site. The way in which the Southern Commercial Area is seen from the road is particularly important.
49. The Design Code states that building coverage should not exceed 40% of the plot so that the openness of Buckshaw Avenue is maintained. The proposed building will cover just over 50%

of the plot, which is more than the Design Code envisaged, however this is a prominent site within the Village on one of the main roundabouts and it is considered that the building of the size proposed is acceptable as a strong building that people will use to orientate themselves within the Village.

50. In terms of the building form, height and materials the Design Code states this is generally unrestricted and design innovations will be encouraged. The only restriction is that development should not be detrimental to Station Road. Parking should be provided on site and screened from Buckshaw Avenue.
51. The office part of the building is approximately 9m to the ridge and 6.5m to the eaves and the lower warehouse part of the building is 7.4m to the ridge and 5.4m to the eaves. The crescent of three-storey properties opposite measures 9.9m to ridge and 7.5m to eaves and so the proposal will be slightly lower than these properties, although still considered tall enough to ensure the proposal is appropriate for its prominent position and does not look out of place opposite the tall properties.
52. The Council advised they could not support the previous application as it was not considered that it was of a design that was appropriate to its prominent frontage location and it was withdrawn. The architect has now amended the plans to avoid the building appearing as a large featureless shed. The main elevations to Buckshaw Avenue and Ordnance Road are now broken up with a high level windows and panels of different materials. The building has a dual pitched roof which is brought up to a monopitch gable to create a feature on the prominent corner where the office part of the building will be situated. These features will break up the mass of the building. The more utilitarian elevations where the service and trade counter entrances will be situated are situated to the rear of the building which will not be as visible from the main routes through the village. Materials are to be red rustic facing brick to low level with grey cladding panels to the top half of the warehouse with grey powder coated aluminium rainwater goods, windows and doors and grey cladding panels to the roof, the mass of the building will therefore also be broken up by the use of varying materials.
53. The proposal is now considered acceptable in design terms.

Trees and Landscape

54. There are no trees on the site as the ground is vacant land that has previously been remediated. The Design Code shows a Landscape Framework along the north and eastern boundaries. Buckshaw Avenue has been set out with the grass verges and a Sustainable Urban Drainage System as envisaged in the Design Code (minus the trees due to LCC restrictions).
55. A landscaping scheme has been submitted with the application showing a line of trees within the application site along Buckshaw Avenue and Ordnance Road frontages within a grass strip which will soften the building frontage. Trees along with shrub beds are proposed along the section of Buckshaw Avenue from which the car park will be visible providing screening. Shrub beds and trees are also proposed on the southern boundary to soften the car park from the access road, with evergreen and deciduous planting to the east boundary with the adjacent as yet undeveloped parcel.
56. The landscaping proposals are considered favourably and are in accordance with the Design Code.

Traffic and Transport

57. The site will be accessed to the rear (south side) of the site from a road that already has planning permission and will be constructed off Ordnance Road. Once the scheme is complete 105 parking spaces would be provided, although not all staff will be on site at once due to shift patterns.
58. A dedicated service area is provided, including a HGV waiting area and turning circle.
59. Pedestrian access will be available from Buckshaw Avenue and Ordnance Road to avoid people having to walk all the way around to access the building on foot.
60. In terms of highways LCC do not object to the proposal and consider the applicant has addressed the issues they raised in relation to the previously withdrawn application. This area of the site was envisaged in the Master Plan as a leisure/hotel use which it is likely would generate a large number of vehicles, including deliveries. It is not considered the traffic associated with the use currently proposed would significantly differ from what was originally envisaged on the site and the proposal is considered acceptable in this respect.
61. LCC have requested a contribution of £6,000 towards a Travel Plan, however they have not justified this amount or shown how it will be spent. It is not therefore considered that this can be requested of the developer as it does not meet the Community Infrastructure Levy tests.

Contamination and Coal Mines

62. The site has already been remediated but a precautionary condition as proposed by the Environment Agency will be placed on any permission.

Drainage and Sewers

63. A Sustainable Urban Drainage Scheme (SUDS) serves the whole of Buckshaw Village and was designed to serve the whole of the developed areas. A drainage scheme for the actual application site will however be the subject of a condition.

Sustainable Resources

64. The Council have an adopted DPD on Sustainable Resources, Policy SR1 of which required the applicant to meet BREEAM 'very good' and a 15% reduction in carbon emission. The applicant is happy to reach these standards but requests that they provide information to show the equivalent of these is reached without having to go down the formal assessment by BREEAM due to the costs associated with this due to the proposal being a unique building. This is considered acceptable and a condition is proposed in relation to this.

Overall Conclusion

65. The proposed use does not accord with the Design Code for the Southern Commercial Area that envisages a leisure/hotel use on the site. However, the Design Code was envisaged as a framework to guide development, not to be slavishly applied. Since it was adopted in 2006 the economic climate has changed significantly and there are other material considerations, such as PPS4 that carry significant weight in favour of the proposal. The building has been designed to sit on a prominent frontage/corner and a landscaping scheme has been provided that complies with the Design Code. On balance the application is considered acceptable and is recommended for approval subject to conditions.

Other Matters

Public Consultation

66. The applicants undertook a public consultation exercise at Buckshaw Village Community Centre in August 2011.

Planning Policies

National Planning Policies:

PPS1, PPS4, PPG13, PPS22

Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Southern Commercial Area Design Code

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

97/00509/OUT: Outline application for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities & rail station) & indication of junction improvements on surrounding road network. Permitted.

02/00748/OUTMAJ: Modification of conditions on outline permission for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities, road improvements & rail station). Permitted.

Recommendation: Permit Full Planning Permission Conditions

1. **If during development contamination not previously identified is found to be present then no further development should take place until the developer has submitted to and had approved in writing by the Local Planning Authority a remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then only be carried out in accordance with the approved strategy. Reason: To ensure any contamination on the site is dealt with appropriately and in accordance with PPS23.**
2. **No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented. Reason: To secure proper drainage and to prevent flooding and in accordance with Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.**
3. **Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.**

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref.	Received On:	Title:
SK/32/1	9 December 2011	Site location Plan
SK/33/1	9 December 2011	Site Layout Plan as Proposed – Phasing
SK/32/3	9 December 2011	Site Layout Plan as Proposed
SK/32/4	9 December 2011	Site Layout Plan as Proposed – Phase 1
SK/0/3	9 December 2011	Elevations as Proposed
SK/0/4	9 December 2011	Elevations as Proposed – Phase 1
SK/0/1A	14 December 2011	Ground Floor Plan as Proposed
SK/0/2	9 December 2011	First Floor Plan as Proposed

Reason: For the avoidance of doubt and in the interests of proper planning.

5. The proposed development must be begun not later than three years from the date of this permission. *Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
6. If the development hereby approved is not constructed all at the same time it shall be constructed in accordance with the phasing plan ref: SK/33/1.
Reason: To ensure a satisfactory form of development and that enough parking is provided for each phase and in accordance with Policies GN1 and GN5.
7. No phase of the building shall be occupied until a letter of assurance, detailing how the phase in question has met the equivalent of BREEAM 'Very Good' has been issued to and approved in writing by the Local Planning Authority.
Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
8. All planting, seeding or turfing comprised in the approved details of landscaping (drawing ref: SK/32/3) shall be carried out in the first planting and seeding seasons following the occupation of Phase 1 (as defined on drawing ref: SK/33/1), and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.
9. Notwithstanding The Town and Country Planning (Use Classes) Order 1987 (as amended) there shall be no increase in floor area for B8 use within the building.
Reason: In the interests of neighbour amenity and in accordance with Policy EM2 of the Adopted Chorley Borough Local Plan Review.
10. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

11. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

12. Before the development hereby permitted is first commenced, full details of the height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. Phase 1 (as shown on drawing ref: SK/33/1) shall not be occupied before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

13. No phase of the development hereby permitted shall begin until details have been submitted to and approved in writing by the Local Planning Authority to show how the development will meet the equivalent of BREEAM 'Very Good'. The development shall be carried out entirely in accordance with the approved details.

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

14. No phase of the development (phases as shown on drawing ref: SK/33/1) shall be occupied until the parking and servicing shown for that phase has been provided and brought into use.

Reason: To ensure sufficient parking, turning and servicing facilities are provided for all three phases of the development and in accordance with Policy TR4.